

FACULTY

Joan M. Fisher is Supervising Attorney for the Federal Defender of Eastern Washington and Idaho, Capital Habeas Unit, which represents death row inmates in Idaho and Eastern Washington in their federal proceedings. Fisher graduated from the University of Houston Law School in 1978, immediately garnering significant jury trial and appellate experience as an assistant district attorney for Harris County in Houston, Texas. In 1982, Fisher moved to Idaho and opened a general practice, specializing in criminal defense. She since has served as a visiting professor at the University of Idaho and as Latah County Public Defender. Fisher successfully appealed and argued for the reversal of the death sentences of Bryan Lankford before the Supreme Court of the United States, Maxwell Hoffman before the Ninth Circuit of the United States Court of Appeals, and James Pratt before the Idaho Supreme Court.

Timothy J. Foley is an Assistant Federal Defender in Sacramento specializing in capital habeas cases. He has represented death row inmates in California, Nevada and Arizona, and currently teaches a Death Penalty Seminar at King Hall (UC Davis) School of Law. He has taught at Boalt School of Law, Hastings School of Law and the University of San Francisco School of Law. His articles on the death penalty, habeas corpus and criminal defense have appeared in the California Criminal Defense Practice Reporter, The Champion, CACJ Forum, Loyola Law Review and other publications.

Scharlette Holdman is the Executive Director and a Mitigation Specialist with the Center for Capital Assistance, a non-profit organization headquartered in San Francisco that provides investigative assistance to court appointed counsel in state and federal capital cases. She has over thirty years experience in assisting counsel in capital trials and post conviction proceedings around the nation in developing mitigation evidence. The NLADA, the National Association of Criminal Defense Lawyers, the National Association for Sentencing Alternatives and the American Civil Liberties Union have recognized Dr. Holdman for her contribution as a pioneer in mitigation.

Mark Ackley has been employed by the Idaho State Appellate Public Defender (SAPD) and assigned to the Capital Litigation Unit (CLU) since October, 2000. The CLU represents Idaho's death row inmates in both state post-conviction and direct appeal proceedings. In August, 2002, Mr. Ackley was assigned to his current position as lead counsel in the CLU. Prior to joining the SAPD, Mr. Ackley was a partner with the law firm Ackley, Goodwin & Lasch, Louisville, Kentucky, 2002; an associate attorney with the law

firm Krauser & Brown, Louisville, Kentucky, 2000; and an Assistant Public Defender, Trial Unit, at the Jefferson County Public Defender, Louisville, Kentucky, 1997 - 2000. Mr. Ackley received his Juris Doctor from Indiana University School of Law, Bloomington, Indiana in 1996.

Paula Swensen is employed by the Idaho State Appellate Defender, Capital Habeas Unit. Prior to her position with the State Appellate Defender, Ms. Swensen worked at the Capital Habeas Unit of the Federal Defenders of Eastern Washington and Idaho. She received her Juris Doctor from the Cornell School of Law in Ithaca, New York in 1999.

James R. Patton, Ed.D serves as an Adjunct Associate Professor in the Department of Special Education at the University of Texas, Austin and works as a mental retardation expert in capital punishment cases. Dr. Patton writes extensively in the area of human exceptionality and special education. He has co-authored or edited 43 books and a number of articles on the topics of Mental Retardation and Special Education. For the past 30 years, Dr. Patton has been professionally involved in the field of mental retardation, having worked with hundreds of individuals in school and community settings. He has worked in a number of capital punishment cases and has provided numerous trainings for lawyers and mitigation specialists in the state of Texas.

James W. Ellis' interest in mental disability dates to his service at the Yale Psychiatric Institute as a conscientious objector. After law school at the University of California (Boalt Hall), he worked at the Bazelon Center for Mental Health Law in Washington, D.C., before joining the University of New Mexico law faculty. During his 30 years there, he has worked on behalf of people with mental disabilities in the civil and criminal justice system. For this work, Ellis has received numerous national awards, including the National Law Journal's "Lawyer of the Year" honor in 2002. Other honors include the Paul Hearne Award for Disability Advocacy from the American Bar Association; the Call to Action Award by the ARC of the United States; the Champion of Justice Award by the National Association of Criminal Defense Lawyers; and recognition by the National Historic Trust on Mental Retardation as one of 36 significant individuals in the field of mental retardation in the 20th Century.

Federal Defenders Annual Death Penalty Conference

"Defending the Mentally Ill"



*Artwork by B. Elmore used by permission of
The Awakenings Project*

A one day seminar sponsored by the Federal
Defenders of Eastern Washington and Idaho,
Capital Habeas Unit
and The U.S. District Court

**Saturday, August 26, 2006
Boise, Idaho
Boise Centre on the Grove
850 W. Front Street**

CLE credits pending approval by the State
Bars
of Idaho and Washington

SCHEDULE

Saturday, August 26th
8:00 - 8:30 a.m. Registration

8:30 - 9:15 a.m.
**Opening Remarks &
Supreme Court Update**
Joan Fisher
Moscow, Idaho

9:15 - 10:15 a.m.
**Dealing With the Mentally Ill Client:
Recognition, Communication and Control
in the Attorney-Client Relationship**
Timothy J. Foley
Sacramento, California

10:15 - 10:30 a.m.
BREAK

10:30 - 11:30 a.m.
**Identifying & Developing
Mental Health Claims**
Scharlette Holdman
San Francisco, California

11:30 - 12:30 p. m.
**Challenges to the Idaho
Death Penalty Statute**
Mark Ackley & Paula Swensen
Boise, Idaho

12:30 - 1:45 p.m.
LUNCH - ON YOUR OWN

1:45 - 2:45 p.m.
**Mental Retardation: What It Is and What It
Looks Like in the Real World**
James Patton - Austin, Texas

2:45 - 3:00 p.m.
BREAK

3:00 - 4:00 p.m.
Recent Developments in Neuroscience
Speaker To Be Announced

4:00 - 5:00 p.m.
**Mental Illness and the Death Penalty:
The Implications of Atkins**
James Ellis
Albuquerque, New Mexico



Boise is located between the edge of the great basin and the edge of the Rocky Mountains, and boasts an average of 230 sunny days annually, making recreational activities a must. You are able to raft exciting rapids; backpack in the nearby mountains; bike, jog, skate, or walk a 25 mile paved network of paths linking 9 parks along the Boise River; or fly fish to your heart's content in the nearby sparkling clear rivers. And Sun Valley is only an easy 2 ½ hour drive. Additionally, Boise is alive with shops, galleries, coffee houses and new restaurants.

"FEDERAL DEFENDER ANNUAL DEATH PENALTY CONFERENCE" SEMINAR REGISTRATION

AUGUST 26, 2006
BOISE, IDAHO

NAME: _____

OFFICE: _____

ADDRESS: _____

CITY: _____

STATE: _____

ZIP: _____

PHONE: _____

Registration Fee: CJA panel attorneys, Public Defenders, and law students: \$40 Friday only; \$75 Friday and Saturday (Habeas) prepaid. \$50 and \$90 at the door. Includes admission to the seminar, written materials, refreshment breaks. **Please make check payable to: Federal Defenders of Eastern Washington and Idaho.**

Send your check payable to Federal Defenders of Eastern Washington & Idaho and this application to: U.S. District Court, Attention Suzi Butler, 550 W. Fort Street, Federal Building, MSC #039, Boise, ID 83724

Deadline for registration: August 10, 2006

Questions: Please call (208) 388-1600 Kathy Bozman, Dick Rubin or Suzi Butler (208) 334-9208

Please check appropriate box: ☐ Friday only, 8/25

☐ Friday and Saturday (Habeas), 8/25 & 8/26